

GOVERNMENT OF TELANGANA
A B S T R A C T

Public Services – A&C Dept - Disciplinary action against Sr. Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd)- Misuse of his powers while working as liquidator of Mega city CUB Ltd.,(U/L) for causing financial loss to megacity CUB Ltd., and disobeying orders of superior officers – Article of charges issued – Appointment of I O - Report submitted – IR Communicated to the CO - Explanation submitted by CO – Examined – Show Cause Note issued to the Charged Officer - Explanation submitted by the Charged Officer – Examined – Decided to impose a penalty of 10% cut in pension for a period of three (3) years – Orders – Issued.

AGRICULTURE AND COOPERATION (VIG.) DEPARTMENT

G.O.RT.No. 71

Dated. 18/08/2014

Read the following:

1. Proceeding of the Addl. Registrar, O/o the CC&RCS,AP,Hyd in Rc. No. 33503/2007/SZ-III,dt.04.12.2009.
2. Explanation of Sri. Shaik Yaqoob Hussain, A R (Retd), dt. 07.10.2011.
3. G.O. Rt. No. 1203, A&C(Vig.III) Dept, dt. 01.1.2012.
4. Enquiry report of Joint Registrar, O/o the CC&RCS,AP, Hyd dt. 20.04.2013.
5. Representation of the CO dt. 15.07.2013.
6. From the CC&RCS, AP, Hyd
Lr. Rc.No.33503/2007/SR-VI, dt.26.07.2013.
7. Govt Memo No. 6045/Vig.III/A1/2011, dt.07.12.2013.
8. Representation of the CO dt. 27.03.2014.
9. From the CC&RCS, AP, Hyd. Lr. Rc. No. 33503/2007/Dis. Dt. 11.07.14.
10. Govt letter No. 6045/Vig.1/2011, dt. 23.07.2014.
11. From the Secretary, APPSC, Hyd. Lr. No. 901/RT/3/2014, Dt. 11.08.2014.

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ORDER:

In the reference 1st read above, it was brought to the notice of the Government that Sri. Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd) has committed certain irregularities while he was working as liquidator, the disciplinary proceedings were initiated by framing the following article of charges:-

Article of Charges:

- (1). That the said Sri.Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) , has misused his powers as liquidator(u/s) 66 of APCS Act. 1964, which shall be exercised by the liquidator with cause and circumspection and are subject to control of the Registrar, with specific reference to disposal of landed property of Maga City Coop.Urban Bank Ltd.,(Under Liquidation) in Sy. No. 100/B of Nizampet Village, Qutbullapur Mandal, RR dist to Sri. M. Gopal and Sri. Ajay Kumar, Sri. Shaik Yaqoob Hussain, Asst. Registrar has not taken permission of Registrar and also not followed the provision of financial code to dispose of the property in Sy. No. 100/B at Nizampet Village, Thus he has violated rule 3 of APCS conduct Rules, 1964.
- (2) That the Sri Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) has caused financial loss to the Mega City Coop. Urban Bank Ltd.,(under Liquidation) with specific reference to disposal of landed property of Mega City Coop Urban Bank Ltd.,(under Liquidation) in Sy. No. 100/B of Nizampet Village, Quthbullapur Mandal, RR Dist. Sri. Shaik Yaqoob Hussain, AR has not followed the provisions of Article of 125 of financial

code which stipulates that open tenders shall be called for to dispose of the properties and entered into agreement with Sri, M. Gopal and Sri. Ajay Kumar. While selling of the property of the bank he has not followed the procedure laid down in Rule 52 of APCS Rule 1964. The purchasers Sri. M. Gopal and Sri N. Ajay Kumar has paid Rs. 43,60,770/- as stamp duty for the agreed market value of Rs. 4,84,52,500/- which clearly shows that the sale transaction has caused huge financial loss of Rs. 3.70 crores to the Bank. Thus he has violated provision of Rule 3 of APCS(Conduct) Rules. 1964.

- (3) That the said Sri Shaik Yaqoob Hussain, AR / Ex. Liquidator, Mega City CUB Ltd, (under liquidation), is said to have disobeyed the order of the superior officers with specific reference to remittance of amount received from sale proceeds of property of Mega City Coop Urban Bank Ltd.,(under liquidation) in Sy. No. 100/B of Nizampet Village, Quthbullapur Mandal, RR dist. Thus he has violated provisions of Rule 3 of APCS(Conduct) Rules, 1964.

2. In the reference 2nd read above, the Charged Officer has denied the charges framed against him.

3. In the reference 3rd read above, Govt have appointed Smt. K. Srilakshmi, JR (Admn) as Inquiry Officer and Smt. B. Rani DR(Admn) as Presenting Officer to conduct inquiry into the charges framed against Sri. Shaik Yaqoob Hussain, AR(retd). After conducting the inquiry, the inquiry officer in the reference 4th read above, has submitted IR and held the charge No.1 is partly proved and charge 2 and 3 not proved. After careful examination of the matter, Government have accepted the above inquiry Report and a copy of Inquiry Report was communicated to the CO and requested to submit his representation, if any, on the findings in the Inquiry Report. In the reference 5th read above the CO has submitted his representation on 15.07.2013 and requested to drop further action against him.

4. Government after careful examination of the representation of the Charged Officer, material on record and remarks of the CC&RCS,AP, Hyd have provisionally decided to impose a penalty of withholding 10% pension for a period of three years against Sri. Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd) as the charge No.1 held partly proved that he mis used his powers as liquidator by not taking permission of Registrar, with specific reference to disposal of land and property of the Bank to Sri. M.Gopal and Sri. N.Ajay Kumar and thereby violated rule 3 of APCS rules 1964 under rule 9 of APRP Rules, 1980.

5. In the reference 7th read above, a show cause notice was issued to Charged Officer as TO why a penalty of withholding 10% pension per a period of three years should not be imposed against Sri. Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd) for the charges held partly proved.

6. Government after careful examination of the entire matter and explanation submitted by the Charged Officer, that there are no new grounds have decided to impose a penalty of withholding 10% pension for a period of three years against Sri. Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd).

7. The APPSC has tendered their concurrence on the above proposal of the Government for imposition of punishment of 10% cut in pension for a period of three years against Sri. Sri. Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd).

8. Government after careful examination of the entire matter have decided and hereby order to impose a penalty of withholding of 10% pension for a period of three (3) years against Sri Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd).

9. The Commissioner for Cooperation & Registrar of Cooperative Societies, Telangana State, Hyderabad shall take necessary action accordingly,

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF TELANGANA)

Poonam Malakondaiah
Principal Secretary to Government

To

Sri. Sri. Shaik Yaqoob Hussain, AR / Ex Liquidator, Magacity CUB Ltd (under liquidation) (Retd). (through the CC&RCS, Telangana State, Hyd.)

The Commissioner for Cooperation & Registrar of Cooperative Societies, Telangana, Hyd.

Copy to The Accountant General, AP, Hyderabad

The Director of Treasuries & Accounts, Hyderabad

The Secretary, APPSC, Hyderabad.

The Andhra Pradesh Vigilance Commission.

SC/CS

//forwarded :: by order//

Section Officer